

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE:

CRAIG BRADLEY DEIMLER and
WILLIAM OLIVER FISHER-DEIMLER :
Debtor : BANKRUPTCY NO. 1-20-00841-HWV
PENNSYLVANIA HOUSING FINANCE AGENCY : CHAPTER 13
Movant :
vs. :
CRIAG BRADLEY DEIMLER, WILLIAM :
OLIVER FISHER-DEIMLER and :
CHARLES J. DEHART, III, Trustee :
Respondents :

MOTION TO OBTAIN RELIEF FROM STAY

TO THE HONORABLE HENRY W. VAN ECK, II, U. S. BANKRUPTCY JUDGE:

AND NOW comes Pennsylvania Housing Finance Agency, by its attorneys, Purcell, Krug & Haller, and files this Motion to obtain relief from the automatic stay pursuant to Section 362(d) of the Bankruptcy Code as follows:

1. That this is a contested matter under Rule 9014 brought pursuant to 11 USC Section 362(d).
2. Movant, Pennsylvania Housing Finance Agency, is a corporation with an office located at 211 North Front Street, Harrisburg, Pennsylvania 17101.
3. Respondents, Craig Bradley Deimler and William Oliver Fisher-Deimler, are adult individuals whose last known address is 2100 Bellevue Road, Harrisburg, Pennsylvania 17104.
4. Respondent, Charles J. DeHart, III, is the Trustee duly appointed in the above case with a place of business at Suite A, 1825 Adams Drive, Hummelstown, Pennsylvania 17036.
5. PHFA holds the first mortgage against property located at 2428 Mercer Street, Harrisburg, Pennsylvania 17104.
6. The balance owed Movant is approximately \$59,000.

7. Other liens against the property are:

Dauphin County Commissioners - \$5,000.00
(per Debtors' Schedules)

City of Harrisburg - \$497.90 (per Debtors'
Schedules)

8. The value of the real estate is approximately \$53,000.00 (per Debtors' Schedules).
9. No equity exists in said property for the benefit of the unsecured creditors.
10. Status of Foreclosure Action: None.
11. Debtors had filed their First Amended Plan whereby post-petition payments due through September 2020 were included in the Plan. Payments should have resumed again in October 2020. Accordingly, Debtors have failed to make two (2) post-petition mortgage payments to Movant (2 payments at \$702.29).
12. Movant is entitled to relief for cause.

WHEREFORE, Movant prays for the entry of an Order terminating the automatic stay and granting Movant leave to exercise its State Court foreclosure remedies and that such further relief be granted as your Honorable Court deems fair and equitable.

PURCELL, KRUG & HALLER

/s/ Leon P. Haller

Leon P. Haller
Attorney for Movant
1719 North Front Street
Harrisburg, PA 17102-2392
(717)234-4178
Attorney ID #15700
Attorney for Movant
lhaller@pkh.com

Dated: November 24, 2020

UNITED STATES BANKRUPTCY COURT
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IN RE: :
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CERTIFICATE OF NONCONCURRENCE

**Debtors and Trustee have not concurred with the request for
relief in this Motion.**

/s/Leon P. Haller
Leon P. Haller

Dated: November 24, 2020

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BANKRUPTCY NO. 1-20-00841-HWV
CHAPTER 13

POST-PETITION PAYMENT HISTORY

Property Address:
2428 MERCER STREET, HARRISBURG, PA 17104

Mortgage Servicer:
PENNSYLVANIA HOUSING FINANCE AGENCY

Post-Petition mailing address for Debtor(s) to send payment:
211 NORTH FRONT STREET, HARRISBURG, PA 17101

Mortgagor(s)/Debtor(s):
CRAIG BRADLEY DEIMLER AND WILLIAM OLIVER FISHER-DEIMLER

Payments are contractually due:

Monthly **Semi-Monthly** **Bi-Weekly** **Other**

Each Monthly Payment is comprised of:
Principal and Interest. \$433.66
R.E. Taxes and insurance \$268.63
Late Charge.
Other. (Specify: _____)
TOTAL. \$702.29

POST-PETITION PAYMENTS (Petition was filed on 3/4/2020)

***None. Debtor filed an Amended Plan placing post-petition payments in the plan. Post-petition payments were to commence October 01, 2020. No payments have been received for October 2020 or November 2020.

TOTAL NUMBER OF POST-PETITION PAYMENT PAST DUE: 2 as of
11/24/2020

TOTAL AMOUNT OF POST-PETITION ARREARS: \$1,439.28 as of
11/24/2020 (2 payments at \$702.29 and 2 late charges at \$17.35)

Dated: 11/24/2020 /s/Leon P. Haller
Counsel

Pennsylvania Housing Finance Agency
Mortgage Company

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF PENNSYLVANIA

In re: Debtor(s) (names(s) used by the debtor(s) in the last 8 years, including married, maiden, and trade):

**Craig Bradley Deimler and
William Oliver Fisher-Deimler
Debtors**

Chapter: 13

**Pennsylvania Housing Finance Agency,
Movant**

Case number: 1-20-00841-HWV

Matter: Motion to Obtain Relief From Stay

**Craig Bradley Deimler and
William Oliver Fisher-Deimler
and Charles J. DeHart, III,**

Notice is hereby given that:

The debtor(s) filed a Chapter 13 Bankruptcy Petition on July 12, 2019.

Notice

A hearing on the above referenced matter has been scheduled for:

United States Bankruptcy Court Ronald Reagan Federal Building 228 Walnut Street Rm 320 Harrisburg, PA 17101 Bankruptcy Courtroom (3 rd Floor)	Date: DECEMBER 22, 2020 Time: 9:30 A.M.
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Any objection/response to the above referenced matter must be filed and served on or before December 8, 2020.

If service was properly made and Respondent(s) fail to file an objection/response by the above specified date, the Court may determine after review of the Motion that no hearing is required and grant the relief requested.

If a default order has not been signed and entered, the parties or their counsel are required to appear in Court at the hearing on the above date and time.

Date: November 24, 2020	Movant's Name, Address, Phone Number: Leon P. Haller, Esquire 1719 North Front Street Harrisburg, PA 17102-2392 (717)234-4178
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FORM C**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA****IN THE MATTER OF:**

CRAIG BRADLEY DEIMLER and)
WILLIAM OLIVER FISHER-DEIMLER) Chapter: 13
)
) Case Number: 1-20-00841-HWV
)
DEBTOR(S))

CERTIFICATE OF SERVICE

I certify that I am more than 18 years of age and that on NOVEMBER 24, 2020, I served a copy of MOTION TO OBTAIN RELIEF FROM STAY _____ on the following parties in this matter:

<i>Name and Address</i>	<i>Mode of Service</i>
CRAIG BRADLEY DEIMLER WILLIAM OLIVER FISHER-DEIMLER 2100 BELLEVUE ROAD HARRISBURG, PA 17104	Regular US Mail First Class Service Postage prepaid
KARA KATHERINE GENDRON	VIA ECF/CM
CHARLES J. DEHART, III, TRUSTEE	VIA ECF/CM

I certify under penalty of perjury that the foregoing is true and correct.

Date: 11/24/2020

Name: s/ LEON P HALLER

Printed Name of Attorney

Address:

1719 N. Front Street, Harrisburg, PA 17102

Revised: 03/22/05

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O R D E R

Upon consideration of the Motion of Pennsylvania
Housing Finance Agency to Obtain Relief from Stay, it
appearing to the Court that no Answer or Response has been
timely filed, the Motion is hereby granted and the
automatic stay is terminated as to the Movant relative to
property situate at 2428 Mercer Street, Harrisburg,
Pennsylvania 17104.